

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:04-CR-329-MOC-DCK**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**TROKON DOUGLAS SMITH,**

**Defendant,**

**and**

**J&B MEDICAL SUPPLY CO., INC.,**

**Garnishee.**

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**ORDER OF CONTINUING  
GARNISHMENT**

**THIS MATTER IS BEFORE THE COURT** on the Government’s “Motion For Order Of Continuing Garnishment” (Document No. 127).

Judgment in the criminal case was entered on April 3, 2006. (Document No. 70). As part of that Judgment, Defendant Trokon D. Smith was ordered to pay an assessment of \$100.00 and restitution of \$293,375.57 to the victims of his crime. Id.

On October 15, 2024, the Court entered a “Writ Of Continuing Garnishment” (Document No. 123) (“Writ”) as to Garnishee, J&B Medical Supply Co., Inc. Defendant was served with the Writ and Instructions notifying him of his right to request a hearing and/or claim exemptions on October 19, 2024, and December 8, 2024. (Document No. 125). Garnishee was served with the Writ and Instructions on October 18, 2024. Id. Garnishee filed its Answer on December 9, 2024, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Document

No. 126). Garnishee certified that it served the Answer on Defendant on October 22, 2024. Id. Defendant did not request a hearing, and the statutory time to do so has elapsed.

**IT IS THEREFORE ORDERED** that an Order Of Continuing Garnishment is hereby **ENTERED** in the amount of \$274,205.63 computed through October 11, 2024. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full; until Garnishee no longer has custody, possession, or control of any property belonging to Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT  
ATTN: FINANCE DEPARTMENT  
401 WEST TRADE STREET  
CHARLOTTE, NORTH CAROLINA 28202

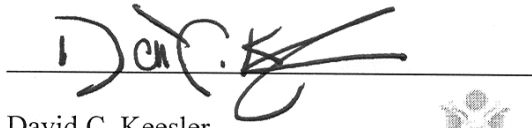
To ensure that each payment is credited properly, the following should be included on each check:  
Defendant's Name Trokon D. Smith, Case Number DNCW3:04CR329-3.

**IT IS FURTHER ORDERED** that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

**IT IS FURTHER ORDERED** that the United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

**SO ORDERED.**

Signed: January 27, 2025

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

